

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GUSTAVO BRUCKNER, derivatively and on
behalf of the MFS CAPITAL
OPPORTUNITIES FUND, the
MASSACHUSETTS INVESTOR TRUST, and
the "MFS FUNDS,"

Plaintiff,

v.

MASSACHUSETTS FINANCIAL SERVICES
COMPANY, ET AL.,

Defendants

and

MFS CAPITAL OPPORTUNITIES FUND,
MASSACHUSETTS INVESTOR TRUST, and
the "MFS FUNDS,"

Nominal Defendants.

CIVIL ACTION
No. 03-cv-12483-NG

NOTICE OF WITHDRAWAL

Please withdraw the appearance of Bingham McCutchen LLP as counsel for Massachusetts Financial Services Company and Sun Life Financial, Inc. in the above-captioned matter. Please be advised that the successor counsel identified below has entered an appearance on behalf of these defendants:

Jonathan A. Shapiro
Hale and Dorr LLP
60 State Street
Boston, MA 02109
(617) 526-6000

-2-

Respectfully submitted,

/s/ Christina N. Davilas

Christina N. Davilas, BBO # 655477

Bingham McCutchen LLP

150 Federal Street

Boston, MA 02110

(617) 951-8000

Dated: April 9, 2004